

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

24-17875 BKOBJ01
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for PNC Bank, National Association

In Re:

Nuzhet Khan

Case No: 24-13523-RG

Hearing Date: July 17, 2024

Judge: ROSEMARY
GAMBARDELLA

Chapter: 13

**PNC BANK, NATIONAL ASSOCIATION'S AMENDED OBJECTION
TO DEBTOR'S MOTION TO EXPUNGE PROOF OF CLAIM**

PNC Bank, National Association ("Creditor"), by and through its undersigned counsel, files this *Amended Objection to Debtor's Motion to Expunge Proof of Claim*, and in support thereof states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 4, 2024.
2. The Debtor has a line of credit with the Creditor pursuant to the Proof of Claim and attachments filed by the Creditor on May 30, 2024.
3. The Debtor does not dispute the fact that the Proof of Claim is timely filed.
4. As such, Creditor submits the filing of said claim "shall constitute prima facie evidence of the validity and amount of the claim." Fed. R. Bankr. P. 3001(f).
5. The Debtor fails to make any cognizable argument as to why the Creditor's claim

should be expunged, and simply states: "I am absolutely positive that I am not personally responsible for the debt indicated in the attached proof of claim and that I do not owe any money in regards to the attached claim."

6. Creditor is reviewing its records with regard to the Debtor's account and confirms that thirty eight (38) payments were received from the Debtor between 2019 and 2021. A payment history for Debtor's account is attached hereto as **Exhibit A**.

7. Creditor reserves the right to supplement this response at or prior to the hearing.
WHEREFORE, Creditor respectfully requests that this Honorable Court enter an Order denying the Debtor's Motion to Expunge Proof of Claim and for any other relief the Court deems just and necessary.

/s/Matthew Fissel

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CERTIFICATION OF SERVICE

1. I, Elizabeth Oliver:

- represent _____ in this matter.
 am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents PNC Bank, National Association in this matter.

am the _____ in this case and am representing myself.

2. On the undersigned date, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

**AMENDED OBJECTION TO DEBTOR'S MOTION TO EXPUNGE
PROOF OF CLAIM**

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: July 11, 2024

/s/ Elizabeth Oliver
Elizabeth Oliver

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Nuzhet Khan 591 Summit Avenue, Suite 605B Jersey City, NJ 07306	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
NICHOLAS FITZGERALD 649 NEWARK AVENUE JERSEY CITY, NJ 07306	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004-1550	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)

		<input type="checkbox"/> Other _____ (as authorized by the court *)
Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	US Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

POC 410 Attachment

For MSP Accounts (Post LT Transactions and Summary) Please use Tableau

[MSP POC 410 Attachment Report](#)

Summary

Account Number	Location Code	Account Number Pre LT	Location Code Pre LT	Oldest Date	Source System	BKOFile Date	Charge Off Date	Last Date Current	Last Transaction	Last Paid Date
1907	071125	1907	071125	01/17/2019	ORW	04/04/2024	08/31/2022	02/10/2022	09/10/2022	11/25/2024

Part 1: Mortgage and Case Information						Part 2: Total Debt Calculation			
BKOCase Number	Debtor One SSN	Debtor Two SSN	Last4Digits To Identify	Creditor	Servicer	Principal Balance	Deferred Principal	Interest Due	Fees Cost
2413523	2086		1907	PNC BANK, N.A.	PNC BANK, N.A.	\$7,343.16	\$0.00	\$1,260.14	

Transactions

Account Number	Location Code	Transaction Date	Transaction Amount	Transaction Description	Extract Date	Transaction System	Current Due Date	Payment Due Date
1907	071125	11/24/2021	3199.01	Payment	11/25/2021	FDR	12/10/2021	12/10/2021
1907	071125	11/10/2021	2193.26	Payment	11/11/2021	FDR	11/10/2021	11/10/2021
1907	071125	11/08/2021	5274.25	Payment	11/09/2021	FDR	11/10/2021	11/10/2021
1907	071125	11/05/2021	2501.01	Payment	11/05/2021	FDR	11/10/2021	11/10/2021
1907	071125	09/23/2021	500	Payment	09/24/2021	FDR	10/10/2021	10/10/2021
1907	071125	07/16/2021	2691.36	Payment	07/18/2021	FDR	08/10/2021	08/10/2021
1907	071125	06/08/2021	1001.01	Payment	06/08/2021	FDR	06/10/2021	06/10/2021
1907	071125	06/01/2021	2596.69	Payment	06/01/2021	FDR	06/10/2021	06/10/2021
1907	071125	04/16/2021	3468.59	Payment	04/16/2021	FDR	05/10/2021	05/10/2021
1907	071125	02/26/2021	1501.01	Payment	02/28/2021	FDR	03/10/2021	03/10/2021
1907	071125	12/16/2020	4501	Payment	12/17/2020	FDR	01/10/2021	01/10/2021
1907	071125	11/23/2020	78.32	Payment	11/24/2020	FDR	12/10/2020	12/10/2020
1907	071125	10/26/2020	4100	Payment	10/27/2020	FDR	11/10/2020	11/10/2020
1907	071125	10/24/2020	1001	Payment	10/27/2020	FDR	11/10/2020	11/10/2020
1907	071125	09/30/2020	2765.37	Payment	10/01/2020	FDR	10/10/2020	10/10/2020
1907	071125	09/02/2020	1905	Payment	09/03/2020	FDR	09/10/2020	09/10/2020
1907	071125	08/18/2020	400	Payment	08/19/2020	FDR	09/10/2020	09/10/2020
1907	071125	07/20/2020	201	Payment	07/21/2020	FDR	08/10/2020	08/10/2020

POC 410 Attachment

1907	071125	05/16/2020	3300 Payment	05/19/2020	FDR	06/10/2020	06/10/2020
1907	071125	04/19/2020	330.53 Payment	04/20/2020	FDR	05/10/2020	05/10/2020
1907	071125	04/12/2020	201 Payment	04/13/2020	FDR	04/10/2020	04/10/2020
1907	071125	03/09/2020	2500 Payment	03/10/2020	FDR	03/10/2020	03/10/2020
1907	071125	03/01/2020	289 Payment	03/02/2020	FDR	03/10/2020	03/10/2020
1907	071125	01/15/2020	1011.84 Payment	01/15/2020	FDR	02/10/2020	02/10/2020
1907	071125	12/11/2019	3900 Payment	12/12/2019	FDR	12/10/2019	12/10/2019
1907	071125	11/20/2019	301 Payment	11/20/2019	FDR	12/10/2019	12/10/2019
1907	071125	10/30/2019	4194.1 Payment	10/31/2019	FDR	11/10/2019	11/10/2019
1907	071125	10/19/2019	301 Payment	10/20/2019	FDR	11/10/2019	11/10/2019
1907	071125	10/02/2019	4900 Payment	10/03/2019	FDR	10/10/2019	10/10/2019
1907	071125	09/28/2019	500 Payment	09/29/2019	FDR	10/10/2019	10/10/2019
1907	071125	09/03/2019	875 Payment	09/04/2019	FDR	09/10/2019	09/10/2019
1907	071125	08/19/2019	135 Payment	08/19/2019	FDR	09/10/2019	09/10/2019
1907	071125	07/31/2019	161 Payment	07/31/2019	FDR	08/10/2019	08/10/2019
1907	071125	06/08/2019	109.75 Payment	06/09/2019	FDR	06/10/2019	06/10/2019
1907	071125	05/18/2019	109.75 Payment	05/19/2019	FDR	06/10/2019	06/10/2019
1907	071125	04/24/2019	584.77 Payment	04/25/2019	FDR	05/10/2019	05/10/2019
1907	071125	04/09/2019	274.87 Payment	04/09/2019	FDR	04/10/2019	04/10/2019

Payment Date	Interest Rate At BK	Maturity Date
7/2021	0	

Part 3: Arrearage as of Date of the Petition										Part 4: Mon
Days Due	Escrow Deficiency For Funds Advanced2	Less Total Funds On Hand	Total Debt	Principal Interest Due	Prepetition Fees Due	Escrow Deficiency For Funds Advanced3	Projected Escrow Shortage	Less Funds On Hand	Total Prepetition Arrearage	Principal Interest
\$351.00	\$0.00	\$0.00	\$8,954.30	\$1,832.00	\$351.00	\$0.00	\$0.00	\$0.00	\$2,183.00	\$0.00

Del No Of Cycles	Amt To Prin	Amt To Int	Amt To Fees	Principal Balance	Accrued Int	Fees And Charges Balance	Past Due	Payments Past Due
0	\$3,098.47	\$1.50	\$99.04	\$2,121.82	\$0.00	\$0.00	\$0.00	\$0.00
0	\$2,193.26	\$0.00	\$0.00	\$220.60	\$0.00	\$60.04	\$0.00	\$0.00
0	\$5,274.25	\$0.00	\$0.00	\$2,378.16	\$0.00	\$60.04	\$0.00	\$0.00
0	\$2,501.01	\$0.00	\$0.00	\$5,055.37	\$0.00	\$0.00	\$0.00	\$0.00
0	\$500.00	\$0.00	\$0.00	\$5,706.03	\$0.00	\$0.00	\$0.00	\$0.00
0	\$2,579.18	\$73.18	\$39.00	\$4,899.14	\$0.00	\$0.00	\$0.00	\$0.00
0	\$1,001.01	\$0.00	\$0.00	\$5,638.01	\$0.00	\$0.00	\$0.00	\$0.00
0	\$2,596.69	\$0.00	\$0.00	\$4,689.86	\$0.00	\$0.00	\$0.00	\$0.00
0	\$3,391.79	\$37.80	\$39.00	\$93.71	\$0.00	\$0.00	\$0.00	\$0.00
0	\$1,494.66	\$0.00	\$6.35	\$0.00	\$0.00	\$6.35	\$0.00	\$0.00
0	\$4,457.80	\$43.20	\$0.00	\$838.44	\$0.00	\$0.00	\$0.00	\$0.00
0	\$78.32	\$0.00	\$0.00	\$2,068.75	\$0.00	\$0.00	\$0.00	\$0.00
0	\$4,100.00	\$0.00	\$0.00	\$2,321.78	\$0.00	\$0.00	\$0.00	\$0.00
0	\$1,001.00	\$0.00	\$0.00	\$2,321.78	\$0.00	\$0.00	\$0.00	\$0.00
0	\$2,765.37	\$0.00	\$0.00	\$3,631.79	\$0.00	\$0.00	\$0.00	\$0.00
0	\$1,905.00	\$0.00	\$0.00	\$1,447.57	\$0.00	\$0.00	\$0.00	\$0.00
0	\$400.00	\$0.00	\$0.00	\$6,541.77	\$0.00	\$0.00	\$0.00	\$0.00
0	\$85.23	\$76.77	\$39.00	\$2,082.47	\$0.00	\$0.00	\$0.00	\$0.00

0	\$3,300.00	\$0.00	\$0.00	\$3,679.38	\$0.00	\$0.00	\$0.00	\$0.00
0	\$193.86	\$102.15	\$34.52	\$7,120.84	\$0.00	\$0.00	\$0.00	\$0.00
0	\$201.00	\$0.00	\$0.00	\$7,025.26	\$0.00	\$39.00	\$0.00	\$0.00
0	\$2,500.00	\$0.00	\$0.00	\$1,753.94	\$0.00	\$0.00	\$0.00	\$0.00
0	\$289.00	\$0.00	\$0.00	\$5,047.34	\$0.00	\$0.00	\$0.00	\$0.00
0	\$979.43	\$71.41	(\$39.00)	\$3,587.45	\$71.41	\$39.00	\$0.00	\$0.00
0	\$3,900.00	\$0.00	\$0.00	\$241.20	\$0.00	\$0.00	\$0.00	\$0.00
0	\$301.00	\$0.00	\$0.00	\$3,590.51	\$0.00	\$0.00	\$0.00	\$0.00
0	\$4,194.10	\$0.00	\$0.00	\$1,681.22	\$0.00	\$0.00	\$0.00	\$0.00
0	\$301.00	\$0.00	\$0.00	\$3,950.30	\$0.00	\$0.00	\$0.00	\$0.00
0	\$4,900.00	\$0.00	\$0.00	\$1,502.60	\$0.00	\$0.00	\$0.00	\$0.00
0	\$443.57	\$56.43	\$0.00	\$5,260.71	\$0.00	\$0.00	\$0.00	\$0.00
0	\$875.00	\$0.00	\$0.00	\$4,544.21	\$0.00	\$0.00	\$0.00	\$0.00
0	\$48.53	\$86.47	\$0.00	\$4,952.46	\$0.00	\$0.00	\$0.00	\$0.00
0	\$161.00	\$0.00	\$0.00	\$4,217.98	\$0.00	\$0.00	\$0.00	\$0.00
0	\$109.75	\$0.00	\$0.00	\$907.99	\$0.00	\$0.00	\$0.00	\$0.00
0	\$109.75	\$0.00	\$0.00	\$195.60	\$0.00	\$0.00	\$0.00	\$0.00
0	\$81.70	\$0.00	\$503.07	\$0.00	\$0.00	\$503.07	\$0.00	\$0.00
0	\$274.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00